



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

At its meeting held October 24, 2006, the Board took the following action:

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The following items were called up for consideration:

The Registrar-Recorder/County Clerk's recommendation to authorize the Los Angeles Times and Edison Media Research to conduct snap tally services in 38 of the 5,029 precincts throughout the County for the November 7, 2006 General Election.

Supervisor Burke made the following statement:

"In June 2006, the Registrar-Recorder/County Clerk implemented InkaVote Plus, an enhancement to the InkaVote voting system used by Los Angeles County since 2003 to comply with the 2002 Help America Vote Act. The InkaVote Plus voting system utilizes a precinct ballot reader which checks ballots for over votes and under votes, allowing the voter a second chance to correct his/her ballot, ensuring that their vote is properly reflected. The InkaVote Plus system also includes an audio ballot booth, which allows voters with visual impairments or limited English skills an equal opportunity to participate in the election process.

"The InkaVote Plus voting system has gone through rigorous testing and has been certified by the Office of the Secretary of State, yet there has been some scrutiny about the accuracy and security of the system. Beyond the statutorily required random manual count of 1% of all voting precincts, we believe it is in the public's interest to identify opportunities beyond those required by State election code to demonstrate the transparency and integrity of Los Angeles County's voting system."

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Therefore, Supervisor Burke made a motion that the Board instruct the Registrar-Recorder/County Clerk to:

1. Randomly select no fewer than 5% of the designated snap tally precincts to be manually counted and compared to the snap tally results produced on election night and the electronic vote count for those same precincts, with this manual count to be conducted during, but separate from, the statutorily required random manual count of 1% of all voting precincts; and
2. Report back to the Board with the findings of the manual count by December 5, 2006, the statutory deadline for the official election certification.

Supervisor Yaroslavsky made the following statement:

“This Board has received input from citizens and organizations objecting to the use of DRE (Direct Record Electronic) or Touchscreen Early Voting machines. Some members of our community are concerned that the Touchscreen machines do not accurately record the ballots cast. State law requires that all Touchscreen machines produce a paper voting record that is visible to the voter (‘VVPAT’ or Voter-Verified Paper Audit Trail). The existence of this paper audit trail affords us an opportunity to ensure that the Touchscreen machines are operating correctly and accurately recording the ballots cast.

“State law requires a manual recount of all ballots cast on Election Day at 1% of the precincts. However, ballots cast at the Touchscreen Early Voting sites are not a part of the 1% recount. In an effort to demonstrate the accuracy of votes cast on the Touchscreen machines, after the June 2006 Primary Election the Registrar-Recorder conducted a manual audit of ballots cast on one Touchscreen device, comparing the votes as recorded on VVPAT with the votes that were reported electronically. This audit encountered some problems because it was discovered that the paper roll had jammed during the early voting period, such that portions of four ballots were not legible on the VVPAT (out of 62 total ballots cast on this machine). The Registrar-Recorder was able to compensate for this by utilizing stored ballot images of the four missing ballots. With this one caveat, the Registrar-Recorder’s manual recount found that the votes recorded electronically on the Touchscreen machine matched perfectly with the votes recorded on the paper audit trail.

“Given the ongoing questioning of the Touchscreen voting devices, it would be appropriate to repeat the manual audit of votes cast on no fewer than 5% of the Touchscreen machines used for early voting in the November General Election.”

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19 (Continued)

Therefore, Supervisor Yaroslavsky made a motion that the Board also instruct the Registrar-Recorder/County Clerk to:

1. Conduct a random audit of votes cast on no fewer than 5% of the Direct Record Electronic ("Touchscreen Early Voting") machines used for early voting at the November 7, 2006 General Election, comparing the votes as recorded on the Voter-Verified Paper Audit Trail with the electronically-recorded votes; and
2. Report back to the Board with findings by December 5, 2006.

On motion of Supervisor Yaroslavsky, seconded by Supervisor Burke, unanimously carried, the Board took the following actions:

1. Adopted the Registrar-Recorder/County Clerk's attached recommendation; and
2. Instructed the Registrar-Recorder/County Clerk to:
 - Randomly select no fewer than 5% of the designated snap tally precincts to be manually counted and compared to the snap tally results produced on election night and the electronic vote count for those same precincts, with this manual count to be conducted during, but separate from, the statutorily required random manual count of 1% of all voting precincts;
 - Conduct a random audit of votes cast on no fewer than 5% of the Direct Record Electronic ("Touchscreen Early Voting") machines used for early voting at the November 7, 2006 General Election, comparing the votes as recorded on the Voter-Verified Paper Audit Trail with the electronically-recorded votes; and
 - Report back to the Board with the findings of the manual count and audit of the Direct Record Electronic machines by December 5, 2006, the statutory deadline for the official election certification.

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Attachment

Copies distributed:

Each Supervisor
Chief Administrative Officer
County Counsel
Registrar-Recorder/County Clerk